

The Village of Northfield

Agenda

Regular Council Meeting

September 23, 2015

Pledge of Allegiance

Call to order; Roll call; Approval of Minutes

Presentation of Petitions, Memorials and Remonstrances

A Proclamation recognizing the Month of September as Prostate Cancer Awareness Month.

Reports of Municipal Officers:

Jesse J. Nehez, Mayor
Timothy Clymer, Finance Director
Richard Wasosky, Engineer
Bradric Bryan, Law Director

Department Heads:

Police Chief Mark Wentz
Fire Chief Jason Buss
Service/Bld.Supt. Jason Walters

Reports of Municipal Boards and Commissions:

Planning Commission, Alan Hipps
Recreation Board, Mayor Nehez
Cemetery Board, Beatrice Greenlee

Reports of Standing Committees:

Finance, Linda Bowen
Roads/Public Works, Jim Daugherty
Health and Welfare, Gary Vojtush
Wages and Working Conditions, Nick Magistrelli
Fire and Safety, Beatrice Greenlee
Buildings and Grounds, Alan Hipps

Legislation:

Resolution 2015-59, An Emergency Resolution Confirming the Decision of the Planning Commission to Approve the Lot Consolidation and Split Requested by Kraftech, Inc. for Lots Located on Rosewood Ave.

Resolution 2015-60, An Emergency Resolution Pertaining to the Compensation for the Position of Director of Finance.

Resolution 2015-61, An Emergency Resolution Confirming the Mayor's Appointment of Lawrence Schilk as Part-Time Employee with the Service Department.

Resolution 2015-62, An Emergency Resolution Accepting the Amounts and Rates as Determined by the Summit County Budget Commission and Authorizing the Necessary Tax Levies and Certifying them to the Fiscal Officer.

Resolution 2015-63, An Emergency Resolution Requesting the Summit County Fiscal Officer, in the Year 2016, to Advance to the Village Monies to which the Village is Entitled from the Proceeds of Tax Levies for the Tax Year 2015.

Resolution 2015-64, An Emergenct Resolution Approving the payment of the bills for the month of September, 2015.

Ordinance 2015-65, An Emergency Ordinance Amending Chapter 410 of the Traffic Code Relating to Impounding of Vehicles.

Ordinance 2015-66, An Emergency Ordinance Amending Section 432.38 of the Traffic Code Relating to Shortcutting across Private Property.

Ordinance 2015-67, An Emergency Ordinance Amending Section 660.07 of the Codified Ordinances Relating to the Storage of Junk Motor Vehicles. Unlicensed Collector's Vehicles and other Vehicles.

Old Business; New Business; Announcements; Adjournment

**The Village of Northfield
10455 NORTHFIELD ROAD
NORTHFIELD VILLAGE, OHIO 44067**

Issued by Mayor Jesse J. Nehez and Council as a Whole

**A Proclamation Recognizing the Month of September as
Prostate Cancer Awareness Month**

Whereas, aside from skin cancer, prostate cancer is the most commonly diagnosed type of cancer in men and the second leading cause of male cancer deaths; and

Whereas, every day in the United States alone, approximately 240,000 men are diagnosed with prostate cancer, and 30,000 die each year from the disease; and

Whereas, 1 in 7 men are diagnosed with prostate cancer at some point in their lives, and African American men are at the highest risk for the disease and are 2.5 times more likely to die from the disease; and

Whereas, prostate cancer education and early detection strategies are critical to saving lives and preserving and protecting our families; and

Whereas, all men are at risk for prostate cancer, and therefore, we encourage the citizens of the Village of Northfield to understand the importance of prostate cancer screenings.

Now, Therefore, Be It Proclaimed by the Mayor and Council of the Village of Northfield, County of Summit, and State of Ohio: That the Village of Northfield hereby and herein recognizes the month of September as Prostate Cancer Awareness Month.

In Witness Whereof, we have hereunto set our hands this 23rd day of September, 2015.

Jesse J. Nehez, Mayor

Bea Greenlee, Pres. Pro-Tem of Council

Councilperson Linda Bowen

Councilperson James Daugherty

Councilperson Alan Hipps

Councilperson Nicholas Magistrelli

Councilperson Gary Vojtush

**VILLAGE OF NORTHFIELD RESOLUTION NO. 2015-59
AN EMERGENCY RESOLUTION CONFIRMING THE DECISION OF THE PLANNING
COMMISSION TO APPROVE THE LOT CONSOLIDATION AND SPLIT REQUESTED
BY KRAFTECH, INC. FOR LOTS LOCATED ON ROSEWOOD AVE.**

WHEREAS, on September 16, 2015, the Planning Commission approved a lot consolidation and split requested by Kraftech, Inc. to consolidate lots 425, 426, and 427 on Rosewood Ave. and split the consolidated lots into two new lots with 60 feet of frontage, as depicted in the plan submitted to the Building and Zoning Department by Kraftech, Inc. and approved by the Planning Commission; and

WHEREAS, Section 1220.06 of the Codified Ordinances requires decisions of the Planning Commission to be referred to Council for its confirmation, amendment, or reversal; and

WHEREAS, Council has determined that Kraftech Inc.'s lot consolidation and split request meets the Village's requirements and is in the Village's best interests; and

WHEREAS, Council desires to confirm the Planning Commission's September 16, 2015 decision to approve the requested lot consolidation and split.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Village of Northfield, County of Summit, State of Ohio:

SECTION 1. That the Planning Commission's September 16, 2015 decision to approve the Rosewood Ave. lot consolidation and split request of Kraftech, Inc. is hereby confirmed.

SECTION 2. That all formal actions of this Council concerning and relating to the deliberation and adoption of this Resolution were taken in an open meeting of this Council and were in compliance with all legal requirements.

SECTION 2. That this Resolution is hereby declared to be an emergency measure necessary for the public peace, health and welfare of the residents of the Village of Northfield for the reason that Council is required by law to take action on the matter, and this Resolution shall take immediate effect upon its signature by the Mayor, or upon the expiration of time within which it may be disapproved by the Mayor, or upon its passage after its disapproval by the Mayor, as the case may be, pursuant to Village of Northfield Charter Section 4.11.

IN WITNESS WHEREOF, we have hereunto set our hands this _____ day of _____, 2015.

Bea Greenlee, President Pro-Tem of Council

Jesse J. Nehez, Mayor

Approved as to Legal Form.

Bradric T. Bryan, Director of Law

I, Timothy Clymer, Clerk of Council of the Village of Northfield, Summit County, Ohio do hereby certify that the foregoing Resolution was duly and regularly passed by Council at a meeting held on the _____ day of _____, 2015.

Timothy Clymer, Clerk of Council

VILLAGE OF NORTHFIELD RESOLUTION NO. 2015-60
AN EMERGENCY RESOLUTION PERTAINING TO THE COMPENSATION FOR THE
POSITION OF DIRECTOR OF FINANCE

WHEREAS, the Mayor and Council wish to amend the compensation for the position of Director of Finance for the 2015 calendar year.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Village of Northfield, County of Summit, State of Ohio:

SECTION 1. That Council hereby and herein amends the rate of pay for the position of Director of Finance from \$42,000 per annum to \$43,260 per annum, retroactive to January 1, 2015. The Director of Finance shall also be entitled to two weeks' paid vacation per annum.

SECTION 2. That all formal actions of this Council concerning and relating to the deliberation and adoption of this Resolution were taken in an open meeting of this Council or any of its committees and were in compliance with all legal requirements.

SECTION 3. That this Resolution is hereby declared to be an emergency measure necessary for the public peace, health, and welfare of the residents of the Village of Northfield for the reason that it will assist with the operation of the Finance Department. This Resolution shall take immediate effect upon its signature by the Mayor, or upon the expiration of time within which it may be disapproved by the Mayor, or upon its passage after its disapproval by the Mayor, as the case may be, pursuant to Charter Section 4.11.

IN WITNESS WHEREOF, we have hereunto set our hands this _____ day of _____, 2015.

Bea Greenlee, President Pro-Tem of Council

Jesse J. Nehez, Mayor

Approved as to Legal Form.

Bradric T. Bryan, Director of Law

I, Timothy Clymer, Clerk of Council of the Village of Northfield, Summit County, Ohio do hereby certify that the foregoing Resolution was duly and regularly passed by Council at a meeting held on the _____ day of _____, 2015.

Timothy Clymer, Clerk of Council

**VILLAGE OF NORTHFIELD RESOLUTION NO. 2015-61
AN EMERGENCY RESOLUTION CONFIRMING THE MAYOR'S APPOINTMENT OF
LAWRENCE SCHILK AS PART-TIME EMPLOYEE WITH THE SERVICE DEPT.**

WHEREAS, the Village needs to hire an additional part-time employee to assist with Service Department duties and free up the full-time Department employees to more efficiently perform Department tasks; and

WHEREAS, Lawrence Schilk has worked for the Village as a seasonal employee and has the necessary skills and aptitude to assist the Service Department as a part-time employee; and

WHEREAS, Council desires to confirm the Mayor's appointment of Lawrence Schilk to the position of Part-Time Maintenance 1 with the Service Department.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Village of Northfield, County of Summit, and State of Ohio:

SECTION 1. That Council hereby and herein confirms the Mayor's appointment of Lawrence Schilk to the position of Part-Time Maintenance 1 with the Service Department, effective immediately.

SECTION 2. That all formal actions of this Council concerning and relating to the deliberation and adoption of this Resolution were taken in an open meeting of this Council or any of its legal committees and were in compliance with all legal requirements.

SECTION 3. That this Resolution is hereby declared to be an emergency measure necessary for the public peace, health, and welfare of the residents of the Village of Northfield for the reason that it will assist with the operation of a Municipal department, and that this Resolution shall take immediate effect upon its signature by the Mayor, or upon the expiration of time within which it may be disapproved by the Mayor, or upon its passage after its disapproval by the Mayor, as the case may be, pursuant to Village of Northfield Charter Section 4.11.

IN WITNESS WHEREOF, we have hereunto set our hands this _____ day of _____, 2015.

Bea Greenlee, President Pro-Tem of Council

Jesse J. Nehez, Mayor

Approved as to Legal Form.

Bradric T. Bryan, Director of Law

I, Timothy Clymer, Clerk of Council of the Village of Northfield, Summit County, Ohio, do hereby certify that the foregoing Resolution was duly and regularly passed by Council at a meeting held on the _____ day of _____, 2015.

Timothy Clymer, Clerk of Council

VILLAGE OF NORTHFIELD RESOLUTION NO. 2015-62

AN EMERGENCY RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE SUMMIT COUNTY BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE FISCAL OFFICER

WHEREAS, the Village, in accordance with the provisions of law, has previously adopted a tax budget for the next succeeding fiscal year commencing Jan. 1, 2016; and

WHEREAS, the Budget Commission of Summit County, Ohio, has certified its action thereon to this Council together with an estimate by the County Fiscal Officer of the rate of each tax necessary to be levied by this Council, and what part thereof is without, and what part within, the 10 mill limitation.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Village of Northfield, County of Summit and State of Ohio:

SECTION 1. That the amounts and rates as indicated by the Budget Commission and County Fiscal Officer, which are attached hereto and incorporated herein by reference, are hereby accepted.

SECTION 2. That there be and there is hereby levied on the tax duplicate of the Village the rate of each tax necessary to be levied within and without the 10 mill limitation, as is indicated in the exhibit that is attached hereto and incorporated herein by reference.

SECTION 3. That the Finance Director/Clerk of Council is authorized and directed to send a copy of the within Resolution to the County Fiscal Officer and Budget Commission prior to the deadline specified by the Fiscal Officer for certifying such rates.

SECTION 4. That all formal actions of this Council concerning and relating to the deliberation and adoption of this Resolution were taken in an open meeting of this Council or any of its legal committees and were in compliance with all legal requirements.

SECTION 5. That this Resolution is hereby declared to be an emergency measure necessary for the public peace, health and welfare of the residents of the Village of Northfield for the reason that this Resolution is required by law to be certified to the County Fiscal Officer forthwith, and that this Resolution shall take immediate effect upon its signature by the Mayor, or upon the expiration of time within which it may be disapproved by the Mayor, or upon its passage after its disapproval by the Mayor, as the case may be, pursuant to Village of Northfield Charter Section 4.11.

RESOLUTION NO. 2015-62
PAGE TWO

IN WITNESS WHEREOF, we have hereunto set our hands this _____ day of _____, 2015.

Bea Greenlee, President Pro-Tem of Council

Jesse J. Nehez, Mayor

Approved as to Legal Form.

Bradric T. Bryan, Director of Law

I, Timothy Clymer, Clerk of Council of the Village of Northfield, Summit County, Ohio, do hereby certify that the foregoing Resolution was duly and regularly passed by Council at a meeting held on the _____ day of _____, 2015.

Timothy Clymer, Clerk of Council

SUMMIT COUNTY BUDGET COMMISSION CERTIFICATION OF TAX LEVY
(ORC Sections 5705.34 & 5705.35)

POLITICAL ENTITY: **NORTHFIELD VILLAGE**
ESTIMATE

Tax Year 2015/Collection Year 2016

THE VALUATIONS AND TAX RATES REFLECT TAX YEAR 2014/COLLECTION YEAR 2015

LEVIES INSIDE and OUTSIDE 10 MILL LIMITATION, INCLUSIVE OF DEBT LEVIES

1. RES/AG REAL VALUE	<u>49,625,550</u>
2. OTHER REAL VALUE	<u>15,859,170</u>
3. TOTAL RES/AG & OTHER REAL VALUE	<u>65,484,720</u>
4. PUBLIC UTILITY PERSONAL VALUE	<u>772,360</u>
5. TOTAL REAL & PUBLIC UTILITY VALUE	<u>66,257,080</u>

Date: September 18, 2015

FUND TYPE CLT FUND #	PURPOSE	Authorized by the Voters on Ballot MO/DA/YR	Number of Years Levy to Run	Tax Year	Collection Year	Maximum Rate Authorized to be Levied	REDUCTION FACTOR	EFFECTIVE RATE TO BE LEVIED	RES/AG	OTHER	PUBLIC UTILITY	TOTAL	ROLL BACK
				Begins/Ends	Begins/Ends		RES/AG OTHER	RES/AG OTHER					
FIRE & EMS 40 00	Current Expense	Repl. 11/06/01	Cont.	01/NA	02/NA	3.15	0.081589 0.153901	2.892995 2.665212	\$143,566	\$42,268	\$2,433	\$188,267	Y
GENERAL 01 00	Inside					2.53		2.530000 2.530000	\$125,553	\$40,124	\$1,954	\$167,631	Y
POLICE PENSION 32 00	Inside					0.30		0.300000 0.300000	\$14,888	\$4,758	\$232	\$19,878	Y
FIRE & EMS 41 00	Current Expense	Additional 11/04/08	Cont.	08/NA	09/NA	1.50	0.000000 0.049904	1.500000 1.425144	\$74,438	\$22,602	\$1,159	\$98,199	Y
TOTALS						7.48		7.222995 6.920356	\$358,445	\$109,752	\$5,778	\$473,975	

NOTE: The ROLLBACK column added to this certificate represents the recently passed slate budget, beginning with tax year 2013 the ten and two and one-half percent rollbacks will no longer apply to new levies that are enacted after the August 2013 election. These non-qualifying levies include additional levies, the increase portion of renewal with increase levies, and the full effective millage of replacement levies. Levies that will continue to qualify for application of the rollbacks are levies approved at or before the August 2013 election, inside and charter millage as they appear on the 2013 tax list, renewals of qualified levies, and the substitute of qualified school district emergency levies under Revised Code section 5705.199. In this column the Y indicates the levy qualifies for the 10% and 2 1/2% rollback. The N indicates the levy does not qualify for the 10% and 2 1/2% rollback.

**VILLAGE OF NORTHFIELD RESOLUTION NO. 2015-63
AN EMERGENCY RESOLUTION REQUESTING THE SUMMIT COUNTY FISCAL
OFFICER, IN THE YEAR 2016, TO ADVANCE TO THE VILLAGE MONIES TO WHICH
THE VILLAGE IS ENTITLED FROM THE PROCEEDS OF TAX LEVIES FOR THE
TAX YEAR 2015**

WHEREAS, O.R.C. Section 321.34 provides that money in the County Treasury to the credit of the account of a local authority and lawfully applicable to the purpose of the current fiscal year, may be withdrawn by a municipality upon the proper request; and

WHEREAS, Council has found and determined that sound fiscal policy requires that such withdrawal be requested from the Summit County Fiscal Officer.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Village of Northfield, County of Summit, and State of Ohio:

SECTION 1. That in 2016, the Summit County Fiscal Officer is hereby requested to draw warrants and pay the Village of Northfield all monies presently being held in the Summit County Treasury to the accounts of the Village lawfully applicable to the purpose of the 2016 fiscal year and derived from the proceeds of tax levies for the tax year 2015.

SECTION 2. That the Director of Finance is hereby authorized and directed to promptly forward a copy of this Resolution to the Summit County Fiscal Officer.

SECTION 3. That all formal actions of this Council concerning and relating to the deliberation and adoption of this Resolution were taken in an open meeting of this Council or any of its committees and were in compliance with all legal requirements.

SECTION 4. That this Resolution is hereby declared to be an emergency measure necessary for the public peace, health and welfare of the residents of the Village of Northfield for the reason that it is necessary for the provision of municipal services by the Village, and that this Resolution shall take immediate effect upon its signature by the Mayor, or upon the expiration of time within which it may be disapproved by the Mayor, or upon its passage after its disapproval by the Mayor, as the case may be, pursuant to Village of Northfield Charter Section 4.11.

IN WITNESS WHEREOF, we have hereunto set our hands this _____ day of _____, 2015.

Bea Greenlee, President Pro-Tem of Council

Jesse J. Nehez, Mayor

Approved as to Legal Form.

Bradric T. Bryan, Director of Law

I, Timothy Clymer, Clerk of Council of the Village of Northfield, Summit County, Ohio, do hereby certify that the foregoing Resolution was duly and regularly passed by Council at a meeting held on the _____ day of _____, 2015.

Timothy Clymer, Clerk of Council

VILLAGE OF NORTHFIELD ORDINANCE NO. 2015- 65

AN EMERGENCY ORDINANCE AMENDING CHAPTER 410 OF THE TRAFFIC CODE
RELATING TO THE IMPOUNDING OF VEHICLES

WHEREAS, the Police Department has requested that Chapter 410 of the Traffic Code relating to the impounding of vehicles be updated to make it fit the current needs of the Community and Department and help the Department operate in a more practical and efficient manner with respect to these issues; and

WHEREAS, based upon the above, Council desires amend Chapter 410 of the Traffic Code as set forth herein.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Northfield, County of Summit, and State of Ohio:

SECTION 1. That Council hereby amends Chapter 410 of the Traffic Code, as is indicated in the attachment hereto that is incorporated herein by reference.

SECTION 2. That the rest and remainder of the Codified Ordinances of the Village of Northfield shall remain as presently drafted unless inconsistent herewith.

SECTION 3. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were rendered in an open meeting of this Council and were in compliance with all legal requirements.

SECTION 4. That this Ordinance is hereby declared to be an emergency measure necessary for the public peace, health, and welfare of the residents of the Village of Northfield for the reason that it is necessary to update this section of the Code in order to improve the efficiency of the Police Department. This Ordinance shall take immediate effect upon its signature by the Mayor, or upon the expiration of time within which it may be disapproved by the Mayor, or upon its passage after its disapproval by the Mayor, as the case may be, pursuant to Village of Northfield Charter Section 4.11.

IN WITNESS WHEREOF, we have hereunto set our hands this _____ day of _____, 2015.

Bea Greenlee, President Pro-Tem of Council

Jesse J. Nehez, Mayor

Approved as to Legal Form.

Bradric T. Bryan, Director of Law

I, Timothy Clymer, Clerk of Council of the Village of Northfield, Summit County, Ohio, do hereby certify that the foregoing Ordinance was duly and regularly passed by Council at a meeting held on the _____ day of _____, 2015.

Timothy Clymer, Clerk of Council

CHAPTER 410
Impounding

* * *

410.06 IMPOUNDING FEE.

A fee of ~~seven~~ ten dollars and ~~fifty cents~~ (~~\$7.50~~ 10.00) to cover the cost of removal, in addition to the storage fee provided in Section 410.04, shall be assessed against the owner or other person claiming any vehicle.

* * *

410.09 IMPOUNDING OF BICYCLES.

This section shall be repealed in its entirety.

410.10 TOW TRUCK LICENSING; FEES AND REQUIREMENTS.

This section shall be repealed in its entirety.

VILLAGE OF NORTHFIELD ORDINANCE NO. 2015- 66

AN EMERGENCY ORDINANCE AMENDING SECTION 432.38 OF THE TRAFFIC CODE RELATING TO SHORTCUTTING ACROSS PRIVATE PROPERTY

WHEREAS, the Police Department feels that it is necessary and has requested that Section 432.38 of the Traffic Code relating to shortcutting across private or public property be updated to make it an offense to shortcut across private or public property to avoid intersections as well as simply traffic control devices; and

WHEREAS, based upon the above, Council desires amend Section 432.38 of the Traffic Code as set forth herein.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Northfield, County of Summit, and State of Ohio:

SECTION 1. That Council hereby amends Section 432.38 of the Traffic Code, as is indicated in the attachment hereto that is incorporated herein by reference.

SECTION 2. That the rest and remainder of the Codified Ordinances of the Village of Northfield shall remain as presently drafted unless inconsistent herewith.

SECTION 3. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were rendered in an open meeting of this Council and were in compliance with all legal requirements.

SECTION 4. That this Ordinance is hereby declared to be an emergency measure necessary for the public peace, health, and welfare of the residents of the Village of Northfield for the reason that it will enhance the safety of drivers, pedestrians, business patrons, and property owners in the Municipality. This Ordinance shall take immediate effect upon its signature by the Mayor, or upon the expiration of time within which it may be disapproved by the Mayor, or upon its passage after its disapproval by the Mayor, as the case may be, pursuant to Village of Northfield Charter Section 4.11.

IN WITNESS WHEREOF, we have hereunto set our hands this _____ day of _____, 2015.

Bea Greenlee, President Pro-Tem of Council

Jesse J. Nehez, Mayor

Approved as to Legal Form.

Bradric T. Bryan, Director of Law

I, Timothy Clymer, Clerk of Council of the Village of Northfield, Summit County, Ohio, do hereby certify that the foregoing Ordinance was duly and regularly passed by Council at a meeting held on the _____ day of _____, 2015.

Timothy Clymer, Clerk of Council

432.38 SHORTCUTTING ACROSS PRIVATE PROPERTY.

(a) No operator of a motor vehicle shall avoid and disregard any traffic control device or intersection by entering onto private or public property for the sole purpose of driving across such property; adjacent to the place of the intersection, where the traffic control signal is in operation or where a traffic sign has been erected. The failure to stop on such property, in connection with or in furtherance of the objects of enterprise or activities being conducted on the property, shall constitute prima facie evidence of violation.

(b) Whoever violates this section is guilty of a minor misdemeanor.

VILLAGE OF NORTHFIELD ORDINANCE NO. 2015- 67
AN EMERGENCY ORDINANCE AMENDING SECTION 660.07 OF THE CODIFIED
ORDINANCES RELATING TO THE STORAGE OF JUNK MOTOR VEHICLES,
UNLICENSED COLLECTOR'S VEHICLES, AND OTHER VEHICLES

WHEREAS, the Police Department has requested that Section 660.07 of the Codified Ordinances relating to the storage of junk motor vehicles, unlicensed collector's vehicles, and other vehicles be updated to make it fit the current needs of the Community and Department and help the Department operate in a more practical and efficient manner with respect to these issues; and

WHEREAS, based upon the above, Council desires amend Section 660.07 of the Code as set forth herein.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Northfield, County of Summit, and State of Ohio:

SECTION 1. That Council hereby amends Section 660.07 of the Code, as is indicated in the attachment hereto that is incorporated herein by reference.

SECTION 2. That the rest and remainder of the Codified Ordinances of the Village of Northfield shall remain as presently drafted unless inconsistent herewith.

SECTION 3. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were rendered in an open meeting of this Council and were in compliance with all legal requirements.

SECTION 4. That this Ordinance is hereby declared to be an emergency measure necessary for the public peace, health, and welfare of the residents of the Village of Northfield for the reason that it is necessary to update this section of the Code in order to improve the aesthetic appearance of the Village and the efficiency of the Police Department. This Ordinance shall take immediate effect upon its signature by the Mayor, or upon the expiration of time within which it may be disapproved by the Mayor, or upon its passage after its disapproval by the Mayor, as the case may be, pursuant to Village of Northfield Charter Section 4.11.

IN WITNESS WHEREOF, we have hereunto set our hands this _____ day of _____, 2015.

Bea Greenlee, President Pro-Tem of Council

Jesse J. Nehez, Mayor

Approved as to Legal Form.

Bradric T. Bryan, Director of Law

I, Timothy Clymer, Clerk of Council of the Village of Northfield, Summit County, Ohio, do hereby certify that the foregoing Ordinance was duly and regularly passed by Council at a meeting held on the _____ day of _____, 2015.

Timothy Clymer, Clerk of Council

**660.07 STORAGE OF JUNK MOTOR VEHICLES, UNLICENSED
COLLECTOR'S VEHICLES, AND OTHER VEHICLES.**

(a) (1) For purposes of this section, "junk motor vehicle" means any motor vehicle which is three years or older; extensively damaged, such damage including but not limited to any of the following: missing wheels, tires, motor, or transmission; apparently inoperable; and having a fair market value of one thousand five hundred dollars (\$1,500.00) or less, that is left ~~uncovered~~ in the open on private property for more than 72 hours with the permission of the person having the right to possession of the property, except if the person is operating a junk yard or scrap metal processing facility licensed under the authority of Ohio R.C. 4737.05 through 4737.12, or otherwise regulated under an authority of a political subdivision; or if the property on which the motor vehicle is left is not subject to licensure or regulation by any governmental authority, unless the person having the right to possession of the property can establish that the motor vehicle is part of a bona fide commercial operation that is permitted to be operated on the premises; or if the motor vehicle is a collector's vehicle. The fact that there is a carport roof, tarp, or other type of covering over the vehicle does not prevent the vehicle from being considered to be left in the open.

(2) The Municipality shall not prevent a person from storing or keeping, or restrict him or her in the method of storing or keeping, any collector's vehicle on private property with the permission of the person having the right to possession of the property, except that the Municipality may require a person having such permission to conceal, by means of buildings, fences, vegetation, terrain, or other suitable obstruction, any unlicensed collector's vehicle stored in the open. All unlicensed collector's vehicles shall be fully concealed from view from the street and neighboring properties by means of buildings, fences, vegetation, terrain, or other suitable obstruction and shall comply with all Municipal ordinances with respect to vehicles having to be stored on certain areas of the property and surfaces.

(3) ~~The Police Chief~~ A police officer, the Council, or the zoning authority may send notice, by personal service or certified mail with return receipt requested, to the person having the right to the possession of the property on which a junk motor vehicle is left, that within ten days of receipt of the notice, the junk motor vehicle either shall be ~~covered by being housed in a~~ fully enclosed garage or other suitable fully enclosed structure, or shall be removed from the property.

(4) No person shall willfully leave a junk motor vehicle ~~uncovered~~ in the open for more than ten days after the receipt of a notice as provided in this section. The fact that a junk motor vehicle is so left is prima facie evidence of willful failure to comply with the notice ~~and each subsequent period of 30 days that a junk motor vehicle continues to be so left constitutes a separate offense.~~ If a person having the right to possession of the property has been convicted of a violation of this section within the past one year, the notice, 72 hour, and 10 day period provisions contained in this ordinance shall not apply. In that event, it shall be an offense to leave a junk motor vehicle in the open on private property, and a citation therefor may be issued without the provision of prior notice of the violation, without the vehicle having been on the property for at least 72 hours, and without the need for the vehicle to be left on the property for a period of more than 10 days before issuing the citation.

(5) The fact that there is a carport, tarp, or other type of covering over a junk motor vehicle or unlicensed collector's vehicle does not prevent the vehicle from being considered to be left in the open. All covers placed on automobiles, trailers, boats, or other vehicles that are left in the open and are not considered junk motor vehicles or unlicensed collector's vehicles must be specifically made for the type of vehicle in question, in good condition, and not contain any holes, rips, paint splotches, or significant stains.

(b) Whoever violates this section is guilty of a minor misdemeanor. Each day on which a violation occurs shall be considered a separate offense.